



## **Citizens Advisory Committee Meeting Minutes**

**July 26, 2019**

**Room 326, City/County Building**

**12:00 p.m.**

**Mission: The CAC exists to provide citizen input into the safety of the citizens of Lewis and Clark County, the efficient and just treatment of defendants and offenders, the protection and healing of victims, and to work toward prevention of crime and the reduction of recidivism.**

### **1. Call to Order and Attendance**

Curt Chisholm called the meeting to order at 12:01 p.m. and read the mission statement.

Members present: Curt Chisholm (Chair), Abigail J. St. Lawrence, Gene Prendergast, Judy Rolfe, Marshall Gingery, Mike Mahoney, Moffie Funk, Theresa Charlton, Theresa Ortega, Carolyn Belling, Tom Cordingley, and John Lytle.

Members excused: Stephanie Ballenger-Brooks, Dennis Taylor, and John Wilkinson.

Others in attendance: Commissioner Andy Hunthausen, Kellie McBride and Gloria Soja.

### **2. Approval of Meeting Minutes**

The minutes from the June 28, 2019 meeting were approved.

### **3. Discussion on Department of Corrections Impact on Jail Populations**

Curt Chisholm stated Judge Menahan had requested the CAC consider looking at the impact of the Department of Corrections (DOC) on the jail population. Judge Menahan had suggested the CAC send a member to the Law and Justice Interim Committee meetings.

Abigail St. Lawrence stated this is an issue that the Montana Sheriffs and Peace Officers Association have been working on for some time and there would need to be a concerted effort to make head way. MACo has worked on this before and did not mention it as a priority at the recent meeting.

Moffie Funk stated the issue is two-fold: space to house the individuals and cost of housing. St. Lawrence stated the more urgent issue is the funding as the DOC only pays the county for a fraction of the cost to the county to hold those individuals. Kellie McBride clarified DOC does not pay the jail to house individuals on pretrial status and also DOC. These DOC pretrial individuals are not eligible for Pretrial Services as they are currently under DOC supervision; monitoring through Pretrial Services would require the state to pay twice for supervision – once through probation and parole and once through the State Pretrial Services grants.

Commissioner Hunthausen stated pretrial DOC should be a relatively easy group to define for the legislature. These individuals are clearly under the care of the DOC. When they are

arrested on a new offense, they are in the jail on pretrial status, on the county dime. The probation and parole officers should be doing pretrial services work with them to get them out of jail. These individuals should be released back to probation and parole. Hunthausen acknowledged probation and parole is overwhelmed, and the legislature would need to address that as well. Most of these individuals are assigned a money bond. Even if they post bond, they often remain in jail, as the DOC puts a no bond hold on them, at which time the DOC becomes responsible for paying a portion of the costs to the county (\$65 per day vs. the \$120 actual cost).

Funk suggested the Committee request a representative from DOC attend the CAC meetings. Hunthausen stated during the last session the counties had tried to show the fiscal impact, through a fiscal note on a bill. The bill was killed in committee because people were appalled that the fiscal note was approximately \$22 million dollars. He added MACo wanted the cost to counties on the record. On the other side of this, if the legislature had passed the bill, the money would have had to come from somewhere, and could have had a very negative impact on other areas of government.

Carolyn Belling stated the goal for the pretrial DOC folks should not just be earlier release, but quicker processing to their programming and to housing.

Chisholm asked if Christin Thennis, probation and parole representative on the CJCC, would be the best person to bring the meeting. Kellie McBride stated it would be better to reach out to Kevin Olson, Director of the Probation and Parole Division.

#### **4. CAC Six Questions – Stepping Up Task Force Update**

Chair John Wilkinson was not available. Curt Chisholm asked if this task force was making progress. Kellie McBride reminded the Committee that John Wilkinson's notes, that had been sent out prior to the meeting, were draft notes only and had not been approved by the Stepping Up Task Force. Chisholm asked if progress was being made. McBride stated the Criminal Justice Services Department was tasked with this work, and so it is difficult to state whether the Task Force is effective. John Lytle stated there seemed to be too much time wasted on flow charts when CJS staff are working in this daily. He felt the Task Force should provide oversight. Commissioner Andy Hunthausen agreed that the Task Force should be more of an advisory task force and does not need to spend time doing the work that CJS staff are already doing.

Chisholm stated that the Task Force and the CAC were intended to be advisory in nature; providing vetting processes, definitions, and guidelines on how screening tools and programs are designed, developed, and implemented.

McBride stated that the CJS was working with the jail to do a trial run of two different screening tools. The eight question GAINS assessment was added to booking questions for four weeks and now the 15 question AC-OK assessment is in the trial phase. Both assessments are nationally validated. Once the trial runs are done, a final assessment tool will be selected and implemented.

#### **5. CAC Governance Task Force Update**

Abigail St. Lawrence stated the Governance Task Force met on July 19, 2019, to discuss the need for staggered membership terms. The Governance Task Force determined staggered terms were not needed as natural attrition would create enough change in the membership. The focus should be on actively recruiting new members. St. Lawrence pointed out to the Committee that the CAC was not included in the newspaper's list of city/county boards with vacancies.

Marshall Gingery suggested each CAC member commit to actively recruiting one person. The Committee discussed the need for a broader community representation including student, faith community, probation and parole, ACLU, and LGBTQIA+ representatives. Commissioner Hunthausen stated he would add the CAC to the city/county board vacancy advertisements.

#### **6. Signup for Standing Task Forces**

Curt Chisholm requested that Gloria Soja send an e-mail to the members of the Committee, requesting each member to select one or more Task Forces to be part of.

#### **7. Dashboard Update on Criminal Justice Services**

The Dashboard Update was sent prior to the meeting via e-mail. Kellie McBride read an e-mail she had received from Christin Thennis, probation and parole, expressing gratitude for the work of the CJS staff, particularly Jillian (Behavioral Health Coordinator), who assisted with a very difficult case at the P&P office.

McBride presented an overview of National Correctional Mental Health Conference she had attended with a group from Helena. This group will continue to meet to work on establishing a 90-days plan for release from custody. While accreditation was highlighted at the conference, this would be a decision for the Sheriff. Mike Mahoney stated accreditation is a desired status because it offers the public a higher level of confidence in the standard of care and supervision, and it offers the organization legal protections.

McBride stated the State of Arizona would allow Montana pretrial officers to attend their training, however, Montana POST does not accept certification from other states. Gallatin County is working on establishing a new Pretrial Officer and Misdemeanor Probation Officer curriculum. Initial discussions indicate this training would be reduced from 10 weeks to 2 weeks. There is a significant portion of the current Probation and Parole Basic Academy that is specific to the Department of Corrections. Gloria Soja and McBride will attend a meeting with Gallatin County on August 7, 2019, to work on this curriculum.

#### **8. Public Comment**

No public comment was received.

#### **9. Next Meeting: August 30, 2019**

#### **10. Adjourn**

The meeting was adjourned at 1:04 p.m.

Minutes approved September 27, 2019.